IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7997 of 1997

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

MAHENDRAPAL B GUPTA

Versus

DEVANG CO OP HOUSING SOCIETY LTD

Appearance:

1. Special Civil Application No. 7997 of 1997

MR TUSHAR MEHTA for Petitioner No. 1

MR SHIRISH JOSHI for Respondent No. 1

..... for Respondent No. 2

NOTICE SERVED BY DS for Respondent No. 3-7

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 10/12/2004

ORAL JUDGEMENT

1. The petitioner has by way of this petition

challenged the impugned order dated 21st October, 1997 passed in Revision Application no.126/97 at annexure-A to the petition, whereby the stay granted by the Board of Nominees Court was vacated.

2. Mr. Shirish Joshi learned advocate for the respondent no. 1 submitted that Appeal No. 1160/2002 filed by respondent Society came to be disposed of by the Tribunal vide order dated 30th June, 2003 wherein, the order passed by the Board of Nominees Court was stayed till the final disposal of the Appeal and the parties were directed to maintain status quo.

3. I have heard the learned advocates for the respective parties and have perused the relevant record. In view of the aforesaid submission, it appears that the matter, has become infructuous. Accordingly, the petition stands disposed of as having become infructuous. Rule is discharged with no order as to costs. Interim relief if any, stands vacated. Liberty to apply in case of difficulty.

[K.S. JHAVERI, J.]

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